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15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

18 JOSE CAMPOS AND CARLOS
19 RAMIREZ,

20 Plaintiff,

21 vs.

22 DEV SAGAR dba DENNY'S, SAGAR
FAMILY CORPORATION, dba
23 DENNY'S RESTAURANT, AND DOES 1
through 10,

24 Defendants.

25 Case No. C10-00515 – LHK

26 **STIPULATION AND PROPOSED
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

27 Hon. Lucy H. Koh
Courtroom: 4

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**STIPULATION AND PROPOSED ORDER
CONTINUING CASE MANAGEMENT CONFERENCE**

1 Plaintiffs Jose Campos and Carlos Ramirez (hereinafter "Plaintiffs") and Defendants
2 DEV SAGAR (sued erroneously as Dev Sagar dba Denny's) and SAGAR FAMILY
3 CORPORATION (hereinafter "Defendants"), stipulate as follows:

- 4 1. The parties seek to continue a subsequent Case Management Conference set for
5 September 15, 2010 at 2:00 p.m. because the parties have scheduled a mediation on
6 September 14, 2010. This is done to allow the parties to either settle the case on the
7 14th or to draft a joint case management conference statement in anticipation of the
8 CMC if the matter does not settle.
- 9 2. The new date requested is October 6, 2010, or three weeks after the scheduled CMC.
10 This date is sought as it would allow the parties to either report the matter as settled or
11 to exchange post mediation discovery responses and be in a position to apprise the
12 Court of the status of the litigation after this exchange.
- 13 3. The Complaint in this matter was filed on February 4, 2010, and amended on March
14 12, 2010.
- 15 4. An initial Case Management Conference was held on May 21, 2010 with a subsequent
16 Case Management Conference set for August 20, 2010 which was vacated when there
17 was a reassignment to this Court.
- 18 5. On May 19, 2010, the parties stipulated to Court sponsored mediation. On August 2,
19 2010, counsel for the parties held a second phone session with mediator Nusbaum in
20 which a mediation for September 14, 2010 was scheduled.

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1 6. Whereas, the parties through counsel seek to have the Case Management Conference
2 set for September 15, 2010 at 2:00 p.m. be re-scheduled to October 6, 2010 at 2:00
3 p.m.
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6 Dated: August 11, 2010

7 By: //s// Tomas E. Margain
8 Tomas E. Margain
9 Dal Bon & Margain, APC
10 Attorneys for Plaintiffs
11 JOSE CAMPOS AND CARLOS
12 RAMIREZ
13

14 Dated: August 13, 2010

15 By: //s// Dennis C. Huie
16 DENNIS C. HUIE
17 Rogers Joseph O'Donnell
18 Attorneys for Defendants
19 SAGAR FAMILY CORPORATION AND
20 DEV SAGAR
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ORDER

PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY

ORDERED that the Case Management Conference in Courtroom 5 set for September 15, 2010 at 2:00 p.m. is hereby rescheduled for October 6, 2010 at 2:00 p.m.

Dated: August 20, 2010

Judge Lucy H. Koh

Judge Lucy H. Koh
United States District Judge